

UNITED STATES DISTRICT COURT

District of Massachusetts

Republic Restaurant, Inc.

V.

Hydan Washington Street, Inc.,
d/b/a Pho Republique and
Jack H. Bardy

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

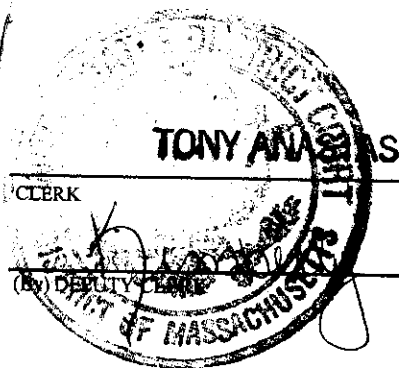
03-12649MLW

TO: (Name and address of Defendant)

Jack H. Bardy
17 Worcester Street
Boston, MA

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
Matthew E. Mitchell, Keegan, Werlin & Pabian, LLP, 265 Franklin Street,
Boston, MA 02110.

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



DATE

January 13, 2004

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me (1)	DATE January 14, 2004
NAME OF SERVER BURTON M. MALKOFSKY	TITLE Process Server / A Disinterested Person
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____, MASSACHUSETTS	
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left: _____	
Said service was made at: <u>17 Worcester Street, #7, Boston</u> , MASSACHUSETTS	
<input type="checkbox"/> Other: By handing true and attested copies thereof to _____ Duly Authorized Agent for the within-named _____ Said service was made at: _____, MASSACHUSETTS	
STATEMENT OF SERVICE FEES	
TRAVEL	SERVICES \$ <u>24.00</u>
TOTAL \$ <u>24.00</u>	
DECLARATION OF SERVER	
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.	
Executed on <u>January 14, 2004</u> Date	<u>Burton M. Malkofsky</u> Signature of Server <u>One Devonshire Place, Boston, Massachusetts</u> Address of Server
ADDITIONAL INFORMATION	
PLEASE NOTE THAT IT WAS NECESSARY TO MAKE _____ ATTEMPTS BEFORE MAKING PROPER SERVICE.	
Date	Time
Remarks	FEE
	\$ _____ .00
	\$ _____ .00
	\$ _____ .00
	\$ _____ .00
	\$ _____ .00
	\$ _____ .00
	\$ _____ .00
DUE & DILIGENT SEARCH: \$ _____ .00	TOTAL \$ _____ .00
because when constable arrived at said address he discovered said address to be _____	

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.